

**HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CHAMBER SUMMONS NO.602 of 2005

IN

SUIT NO.1373 OF 1992

Banganga co-op.Hsg. Soc.Ltd. ...Plaintiffs.

V/s.

Mrs. Vasanti G. Nerurkar. ...Defendant

Mr. Singh i/b N. Dinkarrao for Plaintiff.

Mr.Suresh Gupte i/b A.P.Rege for defendant.

CORAM: A.M.KHANWILKAR, J

DATE : JUNE 15, 2005

P.C. :-

1. Heard counsel for the parties.

2. After hearing counsel for some time, learned counsel for the defendant fairly suggests that relief in terms of prayer clause (a) be granted without prejudice to the rights and contentions of the defendant, in particular on the issue of consequential relief sought by the plaintiffs having become time-barred.

3. Accordingly, chamber summons is made absolute in terms of prayer clause (a) by leaving question of limitation open for trial. Amendment to be carried out

within two weeks from today.